

Minutes
Town of Lake Park, Florida
Town Commission Meeting
May 21, 2003 at 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, May 21, 2003 at 7:30 p.m. Present were Mayor Paul Castro, Vice-Mayor G. Chuck Balias, Commissioners Longtin, Otterson and Garretson, Interim Town Manager Hoa Hoang, Town Attorney Thomas Baird and Town Clerk Carol Simpkins.

Mayor Castro called the Meeting to order at 7:30 p.m.
Commissioner Jeanine Longtin gave the Invocation.
Vice Mayor G. Chuck Balias led the Pledge of Allegiance.
Town Clerk Carol Simpkins performed the Roll Call.

ADDITIONS/DELETIONS

Mayor Paul Castro requested to have Item #9-Resolution No. 16-05-2003- J. Douglas Drymon, placed on the Agenda before Presentations.

MOTION: **A motion was made by Commissioner Paul Garretson to approve the May 21, 2003 Agenda as amended; Vice Mayor G. Chuck Balias made a second.**

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0

RESOLUTION NO. 16-05-2003
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN
OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING
THE MAYOR TO EXECUTE AN AGREEMENT ON BEHALF OF
THE TOWN COMMISSION WITH J. DOUGLAS DRYMON TO
SERVE AS TOWN MANAGER.

Colin Baenziger, Colin Baenziger & Associates, Stated that he has spoken with the Town Attorney and Mr. J. Douglas Drymon concerning the contract that the Town has offered Mr. Drymon.

Town Attorney Thomas J. Baird stated that his conversations with the prospective Town Manager, Mr. J. Douglas Drymon have been very pleasant. He feels that Mr. Drymon is a very good selection and he will serve the Town well. He requested to review the unresolved Sections of the proposed contract.

Section 3 Term of Employment for Prospective Town Manager

MOTION: A motion to accept Section 3 of the Town Manager's contract was made by Commissioner Paul Garretson and was seconded by Vice Mayor G. Chuck Balius.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin		X	
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion carries 4-1.

Commissioner Longtin stated that in the event that things do not work out and the Commission decides not to renew the contract, 3 months of severance is too much money. She feels that 90 days is too long and she would like to see it at 60 days.

Section 5 Proposed Town Manager's Salary

The Town Commission had a brief discussion regarding the salary of the prospective Town Manager.

MOTION: A motion to increase the proposed salary of the Town Manager from \$70,000.00 to \$75,000 was made by Commissioner Paul Garretson and was seconded by Commissioner Otterson.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin		X	
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion carries 4-1

Commissioner Longtin would like the offer to stand at \$70,000.00.

Section 6 Performance Reviews of for Prospective Town Manager

The Town Commission came to consensus on Section 6, agreeing that the Section should be deleted stating it is unnecessary.

Section 14 Retirement Plan for Prospective Town Manager

The Town Commission briefly discussed Section 14-Retirement, of the prospective Town Manager's contract and agreed on 10%.

MOTION: A motion to leave the Retirement at 10% was made by Commissioner Jeanine Longtin and was seconded by Commissioner Bill Otterson.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		

Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion carries 5-0.

Section 20.02 Severance for prospective Town Manager

The Town Commission agreed that the offer will remain at 3 months of severance for the first year and for each year of service a month will be added with a 6- month cap.

MOTION: A motion to progressively raise the Severance Pay by starting at 3 months for the first year of service and one month for each additional year(s) of service with a 6-month cap was made by Commissioner Bill Otterson and was seconded by Commissioner Garretson.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin		X	
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion carries 4-1.

Commissioner Longtin does not agree to pay severance for 6 months she prefers to pay for only 3 months.

Section 21 Resignation of prospective Town Manager

In the event that the prospective Town Manager resigns, he has proposed to provide a 60-calendar day written notice but under no circumstances will the notice be under 30 days written notice.

MOTION: A motion to accept the provisions as proposed by Mr. J. Douglas Drymon stating that with every reasonable effort, he will provide a 60-day notice, but under no circumstances will a written notice be provided less than 30 days, was made by Commissioner Longtin and was seconded by Vice Mayor Balius.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion carries 5-0.

Section 23 Surety Bond

The Town Commission gave consensus on the Surety Bond section of the contract.

Section 24 Indemnifications

The Town Commission gave consensus on the Indemnification section of the contract.

The Town Commission agreed to make the modifications and counter the offer as amended. They requested to be notified by the Town Attorney and Colin Baenziger within the next few days of where they stand with the contract and prospective Town Manager.

PRESENTATIONS

Moment of silence for Deputy Town Marshal Walter S. Stroman

There was a brief moment of silence for Deputy Town Marshal Walter S. Stroman, who was the only officer in the history of the Kelsey City/Town of Lake Park to die in the line of duty.

PUBLIC COMMENT

Christy Turnquist, 2620 N. Australian Avenue, did not have any public comments. She wanted to make the Town Commission aware that she has been attending the Regular Commission Meetings as a representative of Florida State Representative, James “Hank” Harper.

CONSENT AGENDA

Commission Meeting minutes from May 7, 2003.

Commission Workshop minutes from May 9, 2003.

Commission Special Call Meeting from May 14, 2003.

MOTION: A motion to approve Agenda Items Commission Meeting Minutes from May 7, Commission Workshop Minutes from May 9 and Commission Special Call Meeting minutes from May 14, 2003 was made by Commissioner Bill Otterson and was seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

PUBLIC HEARING/S:

ORDINANCES ON SECOND READING/FINAL ADOPTION

QUASI-JUDICIAL PUBLIC HEARINGS:

Town Clerk Carol Simpkins swore in the witnesses for all of the Quasi-Judicial Hearings.

Exparte communication.

The following Commission Members declared the following exparte communications.
Mayor Castro has had discussions with Dodi Glass regarding the Ordinance and the prospect of light Industrial Commercial within the vicinity that the Ordinance relates to.

The following Commission Members had no exparte communications.

Vice Mayor Balias
Commissioner Longtin
Commissioner Garretson
Commissioner Otterson

Public Hearing opened.

No speakers.

Public hearing closed.

ORDINANCE NO. 10-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE PARK; TO CHANGE THE FUTURE LAND USE DESIGNATION OF A PROPERTY TOTALING .5 +/- ACRES WHICH IS GENERALLY LOCATED SOUTH OF NORTHLAKE BOULEVARD, EAST OF US HIGHWAY 1, AND WEST OF LAKE SHORE DRIVE FROM RESIDENTIAL MEDIUM DENSITY RESIDENTIAL DESIGNATION TO COMMERCIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion to adopt Ordinance 10-2003 was made by Vice Mayor G. Chuck Balias and was seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		

Vice-Mayor Balus	X		
Mayor Castro	X		

Motion passed 5-0

ORDINANCE NO. 11-2003

Exparte communication.

The following Commission Members declared the following exparte communications.

Mayor Castro has had discussions with Dodi Glass regarding the Ordinance and the prospect of light Industrial Commercial within the vicinity that the Ordinance relates to. He also met with Mr. Earl Stewart, the contractor and the architect regarding the proposed site plan.

Vice Mayor Balus was asked to meet with Mr. Earl Stewart. He did not attend the meeting.

The following Commission Members had no exparte communications.

Commissioner Longtin

Commissioner Garretson

Commissioner Otterson

ORDINANCE NO. 11-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 32-24 OF THE OFFICIAL ZONING MAP OF THE TOWN OF LAKE PARK, REZONING APPROXIMATELY 4.47 ACRES OF LAND, OWNED BY EARL STEWART, LLC, LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF LAKESHORE AND JASMINE DRIVES AS PLANNED UNIT DEVELOPMENT (COMMERCIAL); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

No speakers.

Public hearing closed.

MOTION: A motion to adopt Ordinance No. 11-2003 was made by Vice Mayor Balus and a second was made by Commissioner Bill Otterson.

Vote on Motion:

Commissioner Member	Yes	No	Other
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Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

RESOLUTIONS

Exparte communication.

The following Commission Members declared the following exparte communications.
Mayor Castro has had discussions with Dodi Glass regarding the Ordinance and the prospect of light Industrial Commercial within the vicinity that the Ordinance relates to. He also met with Mr. Earl Stewart, the contractor, the architect, the consultant and again with Dodi Glass regarding the proposed site plan and the architecture of the building as it relates to the proposed expansion of the building at its existing location as well as Park Avenue Hardware.

The following Commission Members had no exparte communications.

Vice Mayor G. Chuck Balius

Commissioner Longtin

Commissioner Garretson

Commissioner Otterson

RESOLUTION NO. 14-05-03

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING AN APPLICATION FOR A SITE PLAN SUBJECT TO CONDITIONS AND WAIVERS ON 4.47 ACRES OF LAND, OWNED BY EARL STEWART, LLC, LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF LAKESHORE AND JASMINE DRIVES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Sara Lockhart, Calvin Giordano & Associates, gave a brief presentation of the proposed site plan. In response to a question posed by the Commission, she gave a description of what took place at the Planning and Zoning Board Meeting. Under the conditions of an approval, she requested that the applicant installs the landscaping according to the plans and specifications and also a photometric lighting plan that shows the light intensity of the property line. She also discussed the 45-foot sign and recommended that we do not approve a sign of that magnitude.

Dodi Glass, Urban Design Studio, representing the applicant explained the proposed landscaping on the back of the property line and the seating area of the property.

Earl Stewart, Stewart Toyota, spoke regarding the signage visibility for his dealership. He asked the Commission to consider the fact that he is competing with other dealerships along Northlake Boulevard. He stated that he wants to make a compromise with the Commission, instead of having (2) two thirty foot signs, he would rather come down to 15 feet on one of the signs and raise the other to 45 feet. He says that Toyota designed the sign and has a great amount of input regarding the signage and design of the building and he would also need their approval. In regards to the Public Address System (PA System), Mr. Stewart stated that he hasn't received any complaints lately, but is willing to compromise by not using the outside paging system.

John Glidden, Architect for Stewart Toyota, stated that the applicants biggest concern is the visibility of the Stewart Toyota dealership.

Public Hearing opened.

Burt Bolstrom, 1451 Flagler Boulevard, expressed concerns with the sign being a safety hazard involving cars coming from the side street onto U. S. Highway 1.

Diane Monroe, Hawthorne Drive, wanted to confirm the footage of the sign.

Public Hearing closed.

The Commission agreed to approve the applicant's site plan with the exception of the signage issues with conditions. The conditions being that he will be allowed to have the vehicle displays only for so long as he is at the present location. He is to come before the Commission one year after the new expansion is completed to address the Public Address System (PA System).

MOTION: A motion to approve Mr. Earl Stewart's site plan with the exception of the signs with the following conditions;

- 1. Section 32-89 Supplemental Parking Requirements (g) Commercial New and Used (1) Parking (a) Display and 32-15 C-1 (1) j Sales, Service and Rental of Motor Vehicles - Waiver to allow a 15-foot setback from the street line for display parking.**
- 2. Section 32-146 (h) (2) - Waiver to allow an increase in the spacing of the trees to 30 feet on center along western boundary of the property, which faces US Highway 1 only.**

3. Section 32-146 Minimum Landscape Requirements (c) Parking Areas (3.) Waiver to not require wheel-stops in the parking area, except for curbing along all landscape islands and buffers within the parking area or where said parking areas are adjacent to a public right of way.

4. Section 32-146 Minimum Landscape Requirements (c) Parking (5.) Multi-Level Garage: Require planters on roof for shade trees so no space more than 40 ft. from center - Waiver to not require planters on the roof. Applicant will provide enhanced landscape area along Lakeshore Drive, including park benches and decorative lighting as shown on the site plan.

5. Section 32-53 Permitted Signage (o) Freestanding Sign (5) Maximum height – 30’ – Waiver to allow one 40-foot freestanding sign and one 15-foot freestanding sign on the subject site.

was made by Vice Mayor Balius and seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	Absent		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 4-0

Commissioner Paul Garretson had excused himself from the meeting at 8:10 p.m.

Signage at the proposed site

MOTION: A motion to approve a 40-foot sign and a 15-foot sign as presented on the site plan was made by Vice Mayor G. Chuck Balias and was seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	Absent		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balias	X		
Mayor Castro		X	

Motion passed 3-1

Mayor Castro opposes of the signage for the proposed site. He stated that it will be the only 40-foot sign along U.S. Highway 1 and furthermore, he feels that the signage will not play a major role in the marketing of Stewart Toyota.

Vice Mayor G. Chuck Balias made a motion to modify his previous motion by adding that the signs will have to be removed by Toyota in the event that they relocate. Commissioner Jeanine Longtin gave a second. Commission voted 3-1.

MOTION: A motion to approve Resolution 14-05-03 with the conditions stipulated in the site plan was made by Vice Mayor Balias and was seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	Absent		
Commissioner Otterson	X		

Commissioner Longtin	X		
Vice-Mayor Balus	X		
Mayor Castro	X		

Motion passed 4-0

RESOLUTION NO. 15-05-03

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA; AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT FOR THE SALE OF CERTAIN SURPLUS REAL PROPERTY LOCATED AT 900 PARK AVENUE, LAKE PARK, FLORIDA, IN THE AMOUNT OF \$700,000.00 U.S. DOLLARS TO 900 PARK AVENUE LLC, A FLORIDA LIMITED LIABILITY COMPANY TO BE FORMED; DIRECTING THAT THE PROCEEDS DERIVED FROM THE SALE OF THE SUBJECT SURPLUS REAL PROPERTY BE DEPOSITED IN THE GENERAL FUND; DIRECTING THAT THE TOWN'S FIXED ASSET RECORDS BE AMENDED TO REFLECT THE DISPOSAL OF THE SUBJECT REAL PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

Public Hearing opened.

Larry Smith, Respondent to 900 Park Avenue Bid, stated that he talked to the Appraiser, Mike Ford that appraised the property a year ago at \$650,000.00 stating that he viewed the property in same manner as Mike did as well as the consideration of the present leases held in the building and that's is how he came up with the analysis needed to provide the Commission with a reasonable and affordable bid. He raised his bid amount to \$720,000.00.

Sherri Hampton, Respondent to 900 Park Avenue, stated that she bidder for the property last year and when the Town decided to keep the property, she requested that she be contacted in the event that the property goes up for sale again. She stated that if her bid was accepted she would indeed be able to close within 30 days.

Public Hearing closed.

MOTION: A motion to deny the adoption of Resolution 15-05-03 was made by Commissioner Otterson and seconded by Commissioner Jeanine Longtin.

Commissioner Longtin withdrew her second for the denial of Resolution 15-03-03.
Vice Mayor Balius seconded the motion for the denial of Resolution 15-03-03.

The Town Clerk performed a roll call vote.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	Absent		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro		X	

Motion passed 3-1

The Town Commission decided to re-bid on the Sale of 900 Park Avenue due to the fact that the bid amount has been raised by the highest bidder and the Resolution in the amount of \$700,000.00 was denied.

MOTION: A motion to re-bid the sale of 900 Park Avenue was made by Commissioner Otterson and seconded by Vice Mayor Balius.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	Absent		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		

Mayor Castro	X		
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Motion passed 4-0

DISCUSSION AND POSSIBLE ACTION:

Economic Development Administration for the Lake Park Community Redevelopment Agency.

The Commission decided to table this discussion until the next meeting.

**Motion: A motion to table Agenda item No. 10 was made by
Commissioner Longtin and was seconded by Vice Mayor
Balius.**

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	Absent		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion Carried 4/0.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Paul Castro

Requested that if the Commander is out of Town, the Commission should be informed and also given contact information on the person that will be left in charge. He voiced his concern regarding the Alarm Permits. He stated that the Deputies are not responding to the calls because the residents do not have alarm permits. He would like to see this matter looked into.

Vice Mayor G. Chuck Balius

Stated that when all of the Town property is sold, he would like to have the Code amended to change the bid process.

Commissioner Bill Otterson

Stated that he has spoken with someone that has intentions on submitting plans for an 80,000 square foot building. He stated that the gentleman is in the process of burning the logs and debris to remove the eyesore.

Commissioner Jeanine Longtin

She would the Town to give a Proclamation to officer Patricia Selfridge for her involvement with the children of the Town of Lake Park. She provided her contact number (561-881-3309). The Library needs volunteers and blood bank needs donations. Thanked the residents and citizens that attended the meeting.

Colin Baenziger, Colin Baenziger & Associates, responded to Commissioner Longtin's concerns, stating that the advertised salary range is \$65,000-\$95,000 and the Commission should expect to pay between \$70,000 and \$80,000.00.

Interim Town Manager Hoa Hoang

See Exhibit "A" for Town Manager's Comments

The Town Commission gave consensus on all items listed in Exhibit "A".

Town Attorney Thomas J. Baird

Stated that his contract expires in June and he would like to bring the contract renewal before the Commission.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn was made by Commissioner Bill Otterson, seconded by Vice Mayor Balias, by unanimous vote, the meeting adjourned at 10:00 p.m.

Paul Castro

Mayor Paul Castro

Stephanie Thomas

Deputy Town Clerk, Stephanie Thomas

Approved on this 4th day of June, 2003.